

## BURLEY SOCIETY VICTORIOUS DESPITE JUDGE HOLLISTER'S OPINION

Lebus And His Organization Win Great Victory in Federal Court at Cincinnati in Suit of Eshelby Company

Cincinnati, O., Jan. 13.—Despite the opinion of Judge Howard C. Hollister, of the United States District Court in this city, that the contracts made by the Burley Tobacco Society of Kentucky with the E. O. Eshelby Tobacco Company, of Covington, Ky., were in violation of the Sherman anti-trust law, a jury in the case Friday night rendered a verdict in favor of the defendant, the Burley Tobacco Society, and refused damages for which the plaintiff, the E. O. Eshelby Company, was suing in the sum of \$196,000.

### Basis of the Suit

The action was brought as the result of the purchase of tobacco at Winchester, Ky., in 1907, by the Eshelby Tobacco Company, for which the price of 17 cents a pound was paid and which price the plaintiff declared, in its petition, was in excess of what it should have been, because of the fact that the Burley Tobacco Society controlled the Burley Tobacco crop of that year.

The case has been in progress for nearly two weeks and was given to the jury Friday evening. The jury deliberated for two hours. The entire day was taken up with arguments by the attorneys for both sides.

Arguments occupied four hours Friday. Upon agreement they were led off by Mr. A. C. Cassatt, counsel for the plaintiff, upon the opening of court, and he was followed in turn by Judge Alex. P. Humphrey and Hon. John R. Allen, for the defendant, Mr. Lawrence Maxwell, closing for the plaintiff, all speeches being able efforts and remarkable in the completeness with which they presented the case.

The case was given to the jury at 5:10 p. m., with instructions to retire and if at 6:15 it was found that it would be unable to reach a verdict, it would be dismissed until Saturday morning. At 6:15 the jury returned to request Judge Hollister to permit it to continue its deliberations as some of the members wanted to get home Saturday and it might be possible to reach a verdict in a few hours. This was granted and the jury retired again.

### Detail of Case Covered

All the details of the case were gone over carefully by the attorneys in their closing arguments. Judge Humphrey likened the Burley Tobacco Society to the seven sticks, which in fabled tradition, could be broken singly but not altogether or in one bundle. He said it was necessary that the growers of tobacco in Kentucky league together to protect themselves and the formation of the society was not to put up prices, but to keep them from going ruinously down.

Judge Humphrey called attention to the fact that the Burley Society is a society composed of 15,000 farmers, the majority of whom did not raise more than four acres of tobacco.

Colonel Allen touched upon the lot of the poor tenant in the field, who had a family to raise, clothe and provide with other means of living.

### Weakness of Eshelby Case

He pointed out the weaknesses in the case of the plaintiff, particularly that feature of the failure to show what had become of the tobacco bought and which Mr. Eshelby's company said it could not use.

He said it was more than probable that the independents who bought the tobacco and who met at the Sinton Hotel later to allot it, allotted it among themselves to suit themselves, and that much of it was bought not so much for real needs as for spec-

ulation, and was probably later sold at a profit.

"Now, however, this plaintiff, when he sees he has a chance to, comes and asks these great damages of this defendant, the Burley Tobacco Society, because he can use the Sherman anti-trust law to accomplish the end."

### Blames Lebus For Society

Mr. Maxwell, Mr. Eshelby's leading counsel, blamed the organization of the Burley Tobacco Society on President Clarence Lebus. He said the society was organized by Mr. Lebus because the latter had tobacco which he wanted to pool and to sell on the best side if it were more profitable to sell on the outside.

He laid great stress upon the claim that Mr. Eshelby's company was required to buy tobacco which it did not want, did not need and could not use.

"Those requirements," said he, "and that situation were harsh, despotic and unamerican."

He asked that damages be returned on the basis of the difference in what Mr. Eshelby's share of the tobacco sold at Winchester cost and what it would have sold at had not the Burley Tobacco Society, "an illegal combination in restraint of trade," have existed.

### Judge Hollister's Instruction

Judge Hollister in his instruction to the jury directed its members in case the considered the Eshelby Company had sustained damages to compute these damages on the basis of prices of the same grades of tobacco during a reasonable number of years prior to the sale at Winchester. He also instructed the jury that their amount of damages, if any, should be actual—that is the court would reverse to itself the duty of multiplying by three to comply with the provision of the Sherman anti-trust law. Three times nothing is what Eshelby gets under the verdict.

## FINE SHOW TO BE SEEN HERE

"The Common Law" Will Be Presented At The Winchester Opera House On Wednesday Night.

In presenting the "Common Law," Montgomery E. Brewster is offering for the first time a theme which, although it is old, this is the first time it has been used as the base of a play. The "Common Law" is founded upon the basic principles of the Divine and "Common Law" marriages.

As a discussion, the "Common Law" is perhaps one of the most widely talked of subjects of today, and while many people do not seem to understand just what the significance of the "Common Law" means, they are the want to realize enormity of the crime, many are prone to believe that a "Common Law" marriage is as good as a "Divine One."

The play will be seen here Wednesday night, January 17.

### SUFFERING PAIN.

Mrs. J. W. Seabee has been suffering considerable pain at the St. Joseph Hospital in Lexington, but is doing as well as can be expected.

Robert Baker, aged twenty-one and Miss Ferbia Adams, aged sixteen, procured license Tuesday and were married the following day at the home of the bride's father, Bud Adams.

## JAS. W. CREWS IS ARRESTED

In St. Joseph, Mo., On A Charge Of Forgery, And Held To The Criminal Court.

James W. Crews, aged 27 years, was arrested in St. Joseph, Mo., on a charge of forgery, and held to the criminal court.

Crews was born and reared in this city and was in the employ of the Ramsey Transfer Company until about a month ago, when he left the city under a cloud. Two checks he gave to W. M. Hughes and Charles Zigman for \$10.00 and \$11.65 respectively and signed with the name of John E. Watts were found to be forgeries.

It is claimed he cashed two forged checks in Paris and two in Louisville. Police in St. Joseph sent a picture of Crews to Chief McCord, who recognized him at once and notified the authorities there his identity.

## MRS. MILTON LONG LEAVES WINCHESTER

Before Papers Can Be Served Charging Her With Assault and Battery.—Alleged Victim Is Now Dead.

Mrs. Milton Long was indicted at the last session of the grand jury on a charge of assault and battery. Before papers could be served, Mrs. Long left the city. It is thought she joined her son, Mr. Felix White, who is a bricklayer in Cincinnati.

The alleged offense took place about a month ago. It is claimed the victim was Fannie Sue Long, 7-year-old step daughter of the accused woman.

Dr. E. R. Cole who attended the child before her death which occurred this week, states that there was no indication that her illness was due to bruises or inflicted cruelties. Death, he says, was due to peritonitis. A number of neighbors when the case is called.

## OPEN LETTER TO GROWERS

Directors of Commercial Club Address Communication to Tobacco Growers of Clark County.

The directors of the Commercial Club Saturday morning decided to address an open letter to the tobacco growers of Clark county, as follows: "To the Tobacco Growers of Clark county:

"Believing that you are interested in the welfare of Winchester and in all enterprises, which will rebound to the good of our city, knowing as you must, that as the city prospered so does the county, we are writing to remind you that the Loose Leaf Tobacco Warehouses of Winchester have demonstrated to both buyers and sellers, that this city is an excellent place for a Loose Leaf Tobacco Market.

"During the past week the sales have been exceptionally good and practically every grower who sold tobacco stated that he was more than satisfied with the prices realized—no one could ask more than this—and the buyers, of whom quite a large number have been participating in the sale, have expressed their opinion that this was an ideal point for such sales.

"Feeling the interest in Winchester that we do, the directors of the Commercial Club, at their meeting Saturday morning, January 13, unanimously decided to address this open letter to the growers of Clark county, requesting you to send your tobacco to the warehouses in Win-

chester for sale, and to urge you to assist in securing the tobacco growers of the surrounding counties to follow your example.

"You will find that the expense of bringing the tobacco here will be much less than taking it elsewhere; that you will be paid promptly, as soon as the sales are made; that you will be given most courteous treatment, and in addition, will have the best buyers competing for your tobacco, thus enabling you to secure as good or better prices than you could obtain elsewhere.

"The Commercial Club is organized for the purpose of assisting in the up-building of Winchester and Clark county, and we know that it will be of great benefit to all of us for our tobacco warehouses to succeed, so far that reason, we are asking your earnest assistance and co-operations in this matter.

"Trusting that you will help in this enterprise, by sending your tobacco to these warehouses and urging your friends in the surrounding counties to do likewise, we beg to remain,

"Winchester Commercial Club,  
"By M. T. McDowd, Sec'y."  
"By Lewis R. Hampton, Sec'y."

## FALSE RUMOR IS CORRECTED

Child About Whom Report Was Circulated Died of Croup, And Was Not Frozen to Death.

It has been rumored that a child froze to death in Hungry Hollow recently. The Secretary of the Associated Charities has informed The News that the report was entirely unfounded and asks that a correction be made.

The child, by name Estep, about whose death the rumor was started died of an attack of croup.

## REV. GEO. W. SHEPHERD RECOVERING NICELY

Although His Condition Proved To Be More Serious Than Was at First Thought.

Rev. Geo. W. Shepherd, pastor of the Central Baptist church in this city, who was operated on in Richmond for the removal of a fatty tumor, is now on the road to recovery, though his condition has been more serious than was at first thought.

A message to The News at noon Saturday states that he is now getting on well and will be at home in a short time.

## WILL OPEN NEW CLASS

Winchester Building and Saving Association Will Open New Class of Stock Beginning March 1, 1912.

The Winchester Building and Saving Association will open a new class of stock, beginning March 1, 1912. This is known as Class "P" and is the 16th class opened by the old reliable Association.

This Association has matured eleven classes of stock, aggregating over seven hundred and fifty thousand dollars (\$750,000.00).

Subscribe for stock in an Association which has a history covering twenty-six (26) years, never lost a dollar, and makes and publishes an annual report of its business.

Be sure your subscription is made to the Winchester Building and Saving Association.

Everything.  
"Does he tell his wife everything?"  
"Yes, even when he has his salary raised."

## SEVEN GUNBOATS ARE DESTROYED

Division of Italian Cruisers Encounter Flotilla of Turkish Gunboats And At Once Open Fire.

Rome, Jan. 13.—A severe naval engagement occurred Friday in the Red Sea when seven Turkish gunboats and an armed yacht were destroyed by Italian warships.

The division of Italian cruisers which has been scouring the coast of the Red Sea in search of Turkish war vessels and ships conveying contraband destined for the Turkish garrison in Arabia, encountered the flotilla of Turkish gunboats and at once opened fire.

The Turks replied but their feeble armament succumbed to the superior weapons of the Italian war vessels. The fight was stiff but soon ended in the victory of the Italians.

As soon as the three Italian warships encountered the Turkish gunboats a short distance out of the bay of Kufunda they sent shots across their bows and called on them to surrender. The Turkish vessels gave no signs of compliance and the Italians immediately opened a terrific fire, throwing in a hail of shells from their broadsides.

The Turkish gunners replied feebly but did not succeed in striking the Italian vessels.

All seven of the Turkish boats were soon on fire and in a few minutes began to sink. Boats were lowered from the Italian warships which picked up many Turkish seamen but a large number were drowned.

## CONSPIRACY TO THROW HIM OUT

Was The Whole Bribery Charge Says Senator William Lorimer.—Deen and Newspapers.

Washington, Jan. 13.—When Senator Lorimer resumed his testimony Friday before the Senate Investigating committee, he said his only expenses in the campaign for Senator were traveling and hotel bills. He was asked by Senator Johnson, of the committee, to recall a conversation which Edward Hines said he had with the Senator regarding the desire of Clarence S. Funk to contribute to the Lorimer campaign fund. Hines testified that Funk told him that he supposed Lorimer had been put to great expense, and he was willing to help make it up. Hines said he mentioned the matter to Lorimer, and Lorimer told him he did not have any expenses in getting the election.

Lorimer said he did not recall anything having been said about Funk's desire to contribute to his campaign fund. He did remember Hines had told him Funk wanted to meet him, but he replied that Funk was one of his bitterest enemies.

Senator Lorimer said that the whole case against him was a conspiracy to oust him from the Senate, and that Gov. Deneen and the Tribune people were the chief conspirators.

"I have no more doubt," said Senator Lorimer, "that they (The Tribune) bought and paid for White's story, and that he was committing perjury when he testified that he got a thousand dollars for voting for me, than I have that I am sitting on this platform."

## IS NOT AFFECTED BY TARIFF RATES

The Steel Industry Has No Vital Interest in That Matter, Declares Andy Carnegie.

Washington, Jan. 13.—"I am familiar with the views of ex-President

Roosevelt on the trust question, and I am inclined to agree with him," said Andrew Carnegie before the Steel Trust Investigating Committee Friday. Representative Gardner, of Massachusetts, had contrasted those views with ideas expressed by President Taft in his recent message on the trust question.

"In the solution of the industrial problem," said Representative Gardner, "there are two leading thoughts before us. President Taft, in his recent message, expressed the view that dissolution of large units should go on. The other line of thought, as expressed by former President Roosevelt, is that, under the existing Sherman law, we should look to recognition of large units controlled by the government. In which class are you, Mr. Carnegie?"

### Let Them Continue

"I have agreed with Mr. Roosevelt's views. I think for the present that you should allow large organizations to continue, and to see how we get along, and that you pass laws regulating these organizations. Then you should be patient, and see what further legislation may be necessary. I do not think the Sherman law is drastic enough. Give us a clear, unmistakable law, and I believe we will steer clearly."

"Do you believe dissolution of the United States Steel Corporation would lessen the price of steel?"

"I do not believe it would. It depends, of course, upon what the court might do."

## TWO LECTURES ARE DELIVERED

By Mr. Ira S. Barnett, of The Kentucky Automobile Company, Louisville, at The J. R. Martin Store.

Mr. Ira S. Barnett, of the Kentucky Automobile Company, Louisville, delivered an able talk at the store of the J. R. Martin Coal and Supply Company on Friday at 2 p. m. and another in the evening at 7 o'clock. The lectures were devoid of technicalities, and proved intensely interesting to the large crowds present. The speaker had with him various parts of an automobile and to make it still clearer to his hearers, he had on hand a cut-out chassis by means of which the entire assembled machine was examined and explained to the greatest advantage. This chassis was especially prepared for these lectures and is in every way like the cut-out chassis that will be exhibited at the New York, Chicago, and other national automobile shows this winter.

The lectures were of an educational nature, with the idea of giving the public generally a comprehensive knowledge of the automobile and gasoline engine.

Few men in Kentucky, if any, are better posted on the subject of automobiles than is Mr. Barnett and his lectures on the subject were a source of much interest and benefit to his hearers.

## SEVEN BOYS WHO LEFT REFORM SCHOOL FOUND

No Trace of The Others Has Been Discovered But All May Be Taken Soon.—Feet Of One Frozen.

Lexington, Ky., Jan. 13.—At a late hour Friday night seven of the fifteen boys who escaped during the blinding snowstorm of Thursday night from the Greendale Reform School, had been taken into custody. No trace of the others had been found, although it is believed they could have gone far during the severe weather, and it is believed all of the fugitives will be captured within the next day or two.

Three of the boys were captured in Lexington or in the county Thurs-

## RED CROSS DAIRY FARM

Dr. M. S. Browne Has Fifty Head of Fine Cattle Shipped Here And Fine Machinery Installed.

Since the opening of 1912 Dr. M. S. Browne has bought about fifty head of cattle; Jerseys, Holsteins and grades, and has been receiving, by rail, from the great dairy regions of the Middle West, machinery, mills, shredder, ensilage cutter, engines, separators and appliances necessary to the complete equipment of a modern, up-to-date dairy plant; capable of furnishing "certified milk" products, and is now about ready to have such a dairy put in operation at the old Karsner homestead, near the city, and on the Colby pike, on his 250 acre farm, known as "The Griggs-Karsner Place."

None but young, vigorous and healthy, tuberculin-tested cattle, capable of producing the highest grade of milk, will be permitted on this farm; which, for the future, is to be devoted to the production of high-class milk, for the supply of Winchester's milk drinkers. The owner has the promise of the aid of Dr. Robt. Graham, head of Veterinary Science and Serum production at State College, and was aided by Dr. E. S. Good, head of Animal Husbandry, especially in selecting registered Holsteins.

Mr. Wm. Abney, an active young business man of large experience, has leased the above place for a term of years, and will run it in conjunction with the owner. For the present, his brother, Mr. Chas. Abney, a practical sanitary dairyman, aided by his wife, will have the management, and invites all prospective patrons, as well as all persons interested in securing a pure milk supply for Winchester, to visit and inspect the premises, cows, stables, water supply, feed, grazing lots, milk room, etc., which will be open to the public after 6 a. m. Monday, January 15. Also, after this hour all orders for cream, whole milk and butter-milk given over Home phone 889-x, will receive prompt attention as they shall be ready to open up the new "Red-Cross Dairy Farm" for business by that day.

Mrs. Ralph Hess and beautiful little babe, Caroline, who have been residing in Alabama for several months have returned to Winchester where they will probably make their home. Mr. Hess will join his family on Saturday.

Superior Things.  
But the things which have life are superior to those which have no life, and of those which have life the superior are those which have reason.—Marcus Aurelius.

## TOO LATE TO CLASSIFY

THE LYRIC.

Hal Chase's Home Run. (Kalem) Strike at the Little Johnny. (Es-senay.)

A Nearsighted Chaperone. (Lubin) Hal Chase's Home Run is a fine baseball picture. Our house will be good and warm if you don't believe it come and we will prove it.

FOR SALE—Poland China boat. J. T. Lawrence. 1-13-3t

FOR RENT—A four-room cottage. Apply to G. D. Fox, on Central avenue. 1-13-3t

day night, and were returned to the Reform School. Early Friday morning two more were picked up by the local police, and Patrolman Haley found two more, making seven captured in all, in an old house near the Queen & Crescent trestle in Irish-town.



## THE WINCHESTER NEWS

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Daily, Except Sunday.

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## HEROISM OF FIREMEN

One need not go out of Winchester to find instances of heroism as that in which Battalion Chief Walsh lost his life in the great Equitable fire in New York City. He went down in a cloud of smoke and flame as a floor on which he was working gave way, precipitating him into the blazing furnace below. There is not a fireman in the Winchester Department who has not taken, or who has not been willing to take, risks involving his life in order to perform his duties efficiently. They are in heroic set of men, are these firemen, whether in New York or Winchester, and the general public little appreciates the mettle of which they show themselves possessed until opportunity is offered for them to show it. And in such cases they seldom if ever fail to respond to the call of duty, as they see it, regardless of personal consequences.

The fireman who jumps from his warm bed such a night as Friday night, hurries into his clothes and goes into a burning building thinking only of extinguishing the flames, takes his life in his hands. How often do we think of that, except when that life is snuffed out? A kindly word of appreciation of such men is a pleasure to us to write.

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Charles D. Lamm, Lovington, Ill., has succeeded in finding a positive cure for bed wetting. "My little boy wet the bed every night clear thro' on the floor. I tried several kinds of kidney medicine and I was in the drug store looking for something different to help him when I heard of Foley's Kidney Pills. After he had taken them two days we could see a change and when he had taken two-thirds of a bottle he was cured. That is about six weeks ago and he has not wet in bed since."

For Sale by All Druggists.

CORROBORATES HER  
HUSBAND'S STORY

Mrs. McManigal Confirms Tale Told  
by Ortie in Reference to Dynamite  
Conspiracies.

Indianapolis, Jan. 13.—Ortie McManigal's confession, particularly with reference to others who helped him in the dynamite conspiracy, was confirmed in important details by the dynamite's wife, who was examined Friday by government officials in charge of the Federal grand jury investigation.

From conversations she had with her husband in Chicago, Mrs. McManigal, it is said, was able to tell much about the man who approached McManigal when he was working on a building in Detroit in June 1907 and induced him to begin the many explosions on "open shop" jobs. This man went to Detroit from Indianapolis and professed to have instructions and money from J. J. McNamara.

## FOLEY KIDNEY PILLS

always give satisfaction because they always do the work. J. T. Shelmut, Bremen, Ga., says: "I have used Foley Kidney Pills with great satisfaction and found more relief from their use than from any other kidney medicine, and I've tried almost all kinds. I can cheerfully recommend them to all sufferers for kidney and bladder trouble." Foley Kidney Pills will cure any case of kidney or bladder trouble not beyond the reach of medicine. No medicine can do more.

For Sale by All Druggists.

INFANT PARALYSIS  
STRIKES GROWN MAN

Case That is Attracting Much Attention  
Reported at Newport.—Physicians  
Puzzled.

Cincinnati, O., Jan. 13.—A case that is attracting much attention among physicians of this section was reported Friday night by Dr. Edward Herman, of Newport, Ky. It is that of Frank Scott, twenty-five, of 78 Isabella street, Newport, who, he says, is suffering from infantile paralysis in an advanced stage. The case created a stir when brought to the attention of the health officials of the three cities.

This is the first case of this rare disease in this section of the country to have attacked a man of the age of Scott, physicians say, as it is usually confined to small children.

Scott was stricken late Wednesday night. The patient grew worse and finally his lower limbs became paralyzed. His condition is serious.

## LOG LICK

Several tobacco men from this place attended the tobacco sales at Winchester this week.

Mr. James Hutson is erecting a nice cottage on the land he recently purchased from the Hutson heirs.

Mr. Algin King and family, of this place, will leave shortly for Tennessee, where he will make his future home.

Little Virgil Dawson is quite ill at this writing with appendicitis.

Mr. Jack Parker sold to Mr. Green Howard, 1 horse for \$60.

Mr. Wm. Vaughn and family, of near Winchester, visited his parents, Mr. and Mrs. Jas. Vaughn, the past week.

Miss Lizzie Williams, of Irvine, Estill county, was the pleasant guest of Miss Flora and Ida Vaughn, of this place, the past week.

Miss Effie Wills, of this place, is attending school at Berea College.

Miss Nanette Howard, of Pilot View, visited her brother, Mr. Cluff Howard, of this place, this week.

Mr. Robert Eads sold to Mr. Sterling parties, one pair mules for \$325.

Mrs. Bettie Eads and Mrs. Nioma Vivion, of Winchester, were the pleasant guests of Jas. and Davis Hutson, the past week.

Mrs. Asa Davis, of Winchester,

was the guest of her father, Mr. C. Wills, this week.

Log Lick Christian church has called Brother Joe Adams for this year as pastor.

Don't forget to subscribe for the Sun-Sentinel. You will get news.

## CROUP ENDS LIFE

Many Children Die of Croup Every  
Year Before a Doctor Can Be  
Summoned.

Parents of children should be prepared at all times for a spasm of croup.

Keep in the house a remedy that will give instant relief and keep the child from choking until the arrival of the physician.

Get a 50 cent bottle of HYOMEI today and in case of an attack of croup pour 20 drops in a kitchen bowl of boiling water. Hold the child's head over the bowl so that it can breathe the soothing, penetrating vapor that arises. In the send for a physician.

This treatment has saved the lives of many children and is precaution that all parents should promptly take. HYOMEI is sold by Phillips Drug Store and druggists everywhere and is guaranteed for croup, catarrh, asthma and bronchitis.

Get tickets for Lindsey's lecture from canvassers or at Strode's Drug Store. Prices 50 cents for general admission; 35 cents for students, and 25 cents for children, if tickets are bought in advance. 1-12-24

## IRON MOUND

Mr. John Williams is on the sick list.

Mr. and Mrs. Bud Puckett spent New Year's Day with Mr. and Mrs. J. T. Stone.

Mr. and Mrs. J. T. Stone and daughter, Josie B., Mrs. Livie Tuttle and Mrs. Mandy, Sons were the pleasant guests of Mr. and Mrs. Jim Curtis Friday.

Mr. F. M. Stone, of Right Angle, visited Mr. Mack Sons, recently.

Mrs. Cora Patton and three children and Mrs. Etta Kerr and little baby were the pleasant guests of Mrs. Carrie Stone, Monday.

Bernie Hudson, of West Bend, visited his uncle J. T. Stone, recently.

Miss Tempie Stone was the pleasant guest of her cousin, Lindsey Stone, at Right Angle, several days last week.

Miss Etta Winburn has entered college at Berea.

Misses Nancy and Sadie Sons are visiting their brother, Everett Sons, at Lexington.

Misses Annie Mae Wills, Bertha Stevens, Willie and Mary Ella Patton were the pleasant guests of Misses Roise Lee and John Annie Puckett, Saturday night and Sunday.

Mr. and Mrs. Dillard Stevens, Mr. and Mrs. Charlie Williams and Mrs. Carrie Elkin visited Mr. and Mrs. Jack Wills, recently.

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BAPTISTS TO UNITE IN  
DR. FELIX MEMORIAL

Ministers of Churches in Lexington  
And Former Congressman W. P.  
Kimball Will Speak.

Lexington, Ky., Jan. 13.—All the Baptist churches in Lexington will unite in a Memorial service at the First Baptist church Sunday evening at 7:30 o'clock in tribute to Dr. W. H. Felix, a former pastor of that church, who died at Clearwater, Fla., last week. The following addresses will be delivered:

"Dr. Felix and the First Church."  
—Hon. William Preston Kimball.  
"Dr. Felix As a Preacher.—Rev. T. C. Eeton.

"Dr. Felix and the Fifth Street Baptist Church"—Rev. Walter Brock  
"Dr. Felix and His Alma Mater."  
—Rev. Arthur Westneat.

"Dr. Felix and Lexington Baptists."  
—Rev. E. J. Caswell.

"Dr. Felix the Christian."—Rev. J. W. Porter.

Music will be furnished by the Quartette of the Fifth Street Baptist church and the choir of the First Baptist church. The public is invited to attend the service.

## FURS! FURS!! FURS!!!

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OHIO BALLPLAYER TO  
MANAGE PARIS TEAM.

Paris, Ky., Jan. 13.—President Bacon has contracted with a good manager for the coming season, who, he thinks, will be able to return the pennant at White Park for another year. He has secured the services of Joe Lewis, for three years manager of the Marion Club in the Ohio State League, to manage the Paris team the coming season. Lewis is to bring with him next spring several of the former members of the old Marion club and President Bacon has forwarded contracts to the following members of the Paris club of last year, who are still held in reserve: Danny Harrell, Pittsburg, Pa.; William Kahlman, Cincinnati, Ohio; B. F. Goodman, Paintsville, Ky.; Olaf Chapman, Cincinnati, Ohio; Claude Maxwell, Indianapolis, Ind.; and George Schrauder, Cincinnati, Ohio. These, with a few other good ones to be brought here by Manager Lewis, will give Paris a first class club to start with.

## BLOOMINGDALE

Mr. W. T. Rucker rented 130 acres of land with improvements for \$630 from Mr. Herbert Helfin.

Mr. Herbert Helfin and J. N. Rainy sold their tobacco to McCullum for 8 cents straight.

Mr. George A. Abner has returned home after a pleasant visit with relatives near Lexington.

Mrs. M. E. Gamboe and little son, Clyde, visited at the home of Mr. William Wilson, Thursday.

Mr. W. M. Osborne bought of Winchester parties one load of corn for \$4 per barrel.

## COLORED COLUMN

(W. W. Banks, Editor)

The first blood spilled in the Revolutionary War was by a negro—Crispus Attucks, at Boston, Mass., March 5, 1770, and the last volley fired in the Civil War was by negro troops at Palmetto Ranch, Texas, May 15, 1865.

The colored State Teachers' Association at a recent meeting at Paris adjourned to meet at Bowling Green.

John Mitchell, president of a negro bank at Richmond, Va., is a member of the American Bankers' Association, which recently met at New Orleans, La.

Miss Bessie Brewster, a colored girl, has been appointed as a teacher in the public schools of Los Angeles, Cal.

The \$30,000 negro theater at Indianapolis was opened to the public on New Year's Day with an attendance of 2,000.

Henrietta Morton died at Lexington last week, age 119, while Deliver Baxter died at Elkins, Va., age 113.

The promotion of Captain Charles Young, a Kentucky negro, to the rank of Major in the Ninth Cavalry makes him the highest ranking negro officer in the American army. Young graduated from the U. S. Military Academy in 1889.—Exchange.

Ed. W. Glass, colored, who had served the city of Hopkinsville acceptably as Councilman for 15 years, did not stand for re-election last fall, so on his retirement was banquipped by his constituents, December 29.

Elder M. J. Mace will again preach at the Christian church tomorrow and Dr. E. R. Burbridge at the Broadway Baptist.

The negro as a rule has never as yet learned the value of time and money and the importance of a promise; as for punctuality he is a total stranger.

Dr. E. S. Miller, of Chicago, son-in-law of Mrs. Lucy Evans, of this city, has announced his candidacy for County Commissioner of Cook county, Ill.

It is high time that some of our churches are having New Year's or Leap Year's entertainment.

Mrs. Thomas Davis was buried from Clark Chapel, Monday.

W. H. Nelson, one of the prominent colored citizens of Paris, who now resides in this city, has connected himself with the Broadway Baptist church.

Prof. H. R. Hammonds has finished his school at Pikeville and returned to the city.

J. H. Harris, of this city, who is a contracting plasterer at Mt. Sterling was the guest of honor last Thursday night at an elaborate reception given by Mr. and Mrs. Wade Tillmar at their elegant \$3,000 residence.

Charity Organization—There will be a general mass meeting at the First Baptist church Sunday, January 14, at 2:30 p. m., under the auspices of the colored Associated Charity. Let everybody come out and have a heart to heart talk. The several church choirs with Miss Allison are asked to come and render music.

H. D. Colerane, President.  
E. S. Taylor, Secretary.

The colored Episcopal church at Louisville has been destroyed by fire entailing a loss of \$30,000, including a new pipe organ that cost \$3,000, for which Andrew Carnegie contributed \$1,000. This congregation is composed of the aristocracy of Louisville. The church had a gymnasium, parlors, bath, dance hall

## Bankrupt Sale!

Under order of the Federal Court  
for the Eastern District of Kentucky,  
I am retailing the stock of Rosa Frank,  
Bankrupt. Now is your chance to buy  
your clothes at

## LESS THAN COST

Sale is now going on. Every  
article in the store must be converted  
into cash at once.

The stock consists of Men's and  
Boys' Suits, Overcoats, Shoes,  
Hosiery, Gloves, Sweaters and a  
kinds of furnishing goods.

LEWIS R. HAMPTON, Receiver.

A. H. SYMPSON, Manager.

GEO. FOX, Salesman. Misses ELVIN and REID, Sales Ladies

## The New Depositor

In this bank may be assured of receiving direct personal attention and prompt service.  
All we ask is an opportunity to serve you that we may prove the quality of our banking service.  
We invite you to call and see us.

## Citizens National Bank

Corner Main and South Court Street. Near Court House.  
Winchester, Ky.

pool, billiard and card rooms.

Mrs. Annie Boyde is reported seriously ill.

South Africa is proving to be the richest country in the world since the

discovery of diamonds there; 100,000,000 carats or 60 per cent. of the output of the world have been taken from the mines with a valuation of \$750,000,000 or an expenditure on the part of diamond buyers of \$2,000,000,000.00. Ninety-five per cent of all the imported precious stones that comes to this country, comes from South Africa. The Custom House receipts of New York City alone last year for diamonds from South Africa amounted to \$40,000,000.00.

Marriage license was issued at the County Clerk's Office Wednesday for the marriage of Noah Tribble, age 35, to Lucy Hampton, age 34, which the second marriage for each.

Dr. J. H. Tyler, colored, of this city, was tried at Lexington Monday on a charge of converting to his own use the property of another, Mary Fields, a negro woman of this city, charged with misappropriating \$150. After hearing her testimony, Dr. Tyler was dismissed on motion of the Commonwealth. Hon. J. M. Stevenson defended Tyler and C. S. Moffett assisted in the prosecution.—Winchester Democrat.

According to the last census report from Washington, Winchester has a population of 7,156 divided into five wards as follows:  
First Ward ..... 1,514

Second Ward ..... 802

Third Ward ..... 710

Fourth Ward ..... 2,615

Fifth Ward ..... 1,515

The Fourth is the "negro ward" it has only one Councilman while the others have two Councilmen each, yet the Fourth has nearly double the population of the other wards, and some of our most heavily taxed business enterprises are in the North End.—"Consistency thou art a jewel."

Dr. Webb's parishioners were delighted to see him occupy his pulpit last Sunday, the first time in several

Many of our good white people have helped our deserving people who were in destitute circumstances this week. We are sorry that we have not the names of every donor, weeks, on account of sick—so we could publicly thank them individually, so we thank them as a whole on the part of the race, who is indeed a grateful people, for any assistance that might be given any member of the race. The Holy Scriptures has well said "God loves a cheerful giver."

Rev. Timberlake's new church has given him a "stove-pipe" hat.  
Rev. W. S. Jones, a white minister in Alabama, is charged with negro peonage by the Federal Commission. Jerry Taylor was in Versailles this week.

Governor Cole L. Blease, of South Carolina, in a special message to the Legislature this week, recommended disbandment of all negro lodges.



## DON'T YOU

Hate to get up these cold mornings? Get a "BIG BEN," he's the most wide awake fellow we know. He'll make it easy for you to get up.

**C. H. BOWEN**  
"Jeweler and Optician"

## SAYS MINISTER TO PERSIA DEMENTED

Appeal Made to Sulzer by Young Frank Cairns.—The State Department Influenced by Russell's Desires.

Washington, Jan. 13.—Declaring that four American assistants to W. Morgan Shuster, deposed treasurer general of Persia, are being detained in Persia through the influence of the "demented" American minister, Frank F. Cairns, chief assistant to Shuster, cabled Representative Sulzer, chairman of the House Committee on Foreign Affairs, Friday asking aid of Congress. The cablegram follows:

"Four American officers affected by Russia's ultimatum equally with Shuster desire release on same terms. Have presented claims to Persian government for full salary of unexpired term and traveling expense allowances. Anglo-Russian legations supporting our claims in good faith. Persian cabinet will obey their instructions. Department of State is influenced by demented American minister here, who is endeavoring to destroy our claims. He is upset with the idea to compel Americans to remain in Persia, regardless of our desires and unspeakable conditions. Your assistance through State Department is imperative. (Signed.)

"CAIRNS."  
The telegram is dated at Teheran January 11. Representative Sulzer

said he would take the matter immediately with the State Department in an attempt to help the American officials, as he believes their complaint is justified and their rights should be protected by the government of the United States. The American minister to Persia is W. W. Russell.

## JUDGE RUSSELL MANN IS LAID TO LAST REST.

Paris, Ky., Jan. 13.—The funeral of Judge Russell Mann, who died Thursday afternoon, was held at the Christian church Saturday afternoon at 2 o'clock. The services were conducted by Elder J. T. Sharrard, Dr. B. M. Shive and the Confederate veterans. The body was placed in the vault in the Paris cemetery with the burial rites of the Masons. The active pallbearers were: M. F. Kenney, Robert C. Talbot, Harmon Stitt, Dr. F. M. Faries, R. K. McCarney, W. T. Talbot, George W. Redmon, Pearce Paton. The honorary pallbearers were the Confederate veterans, the Christian church, Judge Robert L. Stout, Capt. Ed. Taylor, W. H. McMillan, George Alexander, Judge Denis Dandon, Col. Robert B. Franklin and Mayor J. T. Hinton.

When in want of flowers, insist upon having home grown flowers, thereby keeping your money in your home circles.

POOLE & PURILLANT,  
FLORIST,  
Winchester, Ky.

**Ask Your Doctor**  
Stops Falling Hair  
Destroys Dandruff  
An Elegant Dressing  
Makes Hair Grow  
Ayer's Hair Vigor is composed of Sulphur, Glycerin, Quinin, Sodium Chloride, Capsicum, Sage, Alcohol, Water, Perfume.  
**DOES NOT COLOR THE HAIR**  
J. C. AYER COMPANY, Lowell, Mass.

## GRAND OPERA IN LEXINGTON

It is a long time since Kentucky has been treated to a performance of grand opera in English, and consequently the coming of the Aborn English Grand Opera Company to Lexington, following its highly successful engagements in Louisville and Cincinnati, is creating widespread interest in this part of the state.

This company will give three performances at the Lexington Opera House on Monday and Tuesday, January 22 and 23, embracing a repertoire of three operas of widely different character, and by three different composers. Offenbach's famous opera comique, "The Tales of Hoffman," which was one of the most decided successes of Hammerstein's memorable career at the Manhattan Opera House in New York, will be given as the initial offering on Monday night. Verdi's immortal "Il Trovatore," one of the most richly melodious and universally popular works of all times, will occupy the Tuesday day matinee. Puccini's masterpiece, "Madam Butterfly," probably the greatest work of any living composer, and one about which residents of this part of the country have heard a great deal without having an opportunity to see and hear it before, will be given for the third performance on Tuesday night.

The Aborn forces number one hundred singers and musicians alto together in its double cast, large chorus and grand opera orchestra, and carries several carloads of scenery costumes and effects. The double cast arrangement includes two sets of principal artists, who alternate with one another, each singer appearing at only four performances of each week. The entire array of talent will be heard during the three performances in Lexington, some a one performance, and others at another, including Edith Helena, Jan Abercrombie, Elaine De Sallem, Zofalton, Leonard Samoloff, Domenico Riso, Louis Kriedler, Morton Adkins, William Schuster, Phillip Fein and others, with Carlo Nicolsia as conductor.

On account of the many inquiries Manager Scott, of the Lexington Opera House has received concerning this event, he has decided to inaugurate a special system for the filling of mail orders from music lovers in the cities and towns within convenient distance of Lexington, and the orders are coming in rapidly from many points within a radius of thirty or forty miles of that city. All mail orders should be accompanied by money orders for the required amount for seats specified, made out to Charles Scott, Manager Lexington Opera House, Lexington, Ky.

The price for seats at the two evening performances will be \$2 and \$1.50 on the lower floor, and \$1.50 \$1 and 75 cents in the balcony, while those for the Tuesday matinee will be \$1.50 and \$1 on the lower floor and \$1. 75 cents and 50 cents in the balcony.

Get tickets for Lindsey's lecture from canvassers or at Strode's Drug Store. Prices 50 cents for general admission; 35 cents for students, and 25 cents for children, if tickets are bought in advance. 1-12-24

Source of Afflictions.  
Whatever we may pretend, interest and vanity are the usual sources of our afflictions.

**AUDITORIUM SKATING RINK.**  
Matinee every day from 2 to 5. Admission 10c. Skates free.  
Night 7 to 10. Admission 10c. Skates 15c.  
Particular attention to Ladies.  
Beginners taught free from 10 to 12 A. M.  
Bloomfield & Ratliff Props.  
D. B. SCOBEE, Mgr.

## MY BROTHER IS DEAD

J. P. Caudill, a resident of Powell county, Kentucky, died with heart disease January 1, 1912. He suffered intensely for about four weeks then he stepped from the stage to the celestial chariot, and his soul was soon with the God who gave it. He leaves four sons and one daughter to mourn their loss, but their loss is his gain.

He was born in Letcher county, Ky., June 13, 1842, but was reared in Breathitt county. At the age of 17 years, he and I enlisted in the Confederate service under A. C. Copeland, Captain Company D, 5th Kentucky Regiment, Lewis Brigade. This is where we suffered the arduous hardships incident to soldier life, for about three years. He was a gallant soldier, from the day of his enlistment to the end of the War between the States. About two years after the War ceased, he married Miss Fannie Clegg, daughter of Thomas Clegg, of Walton county Georgia. Six children were born to them. Soon after the birth of their last child, God took her from him. Then it was that he manifested great devotion for his children, and thus hung to them till the day of his death, without taking the risk of putting a stepmother over them—his demonstrated love should ever be a lesson to his children. He was not only a faithful husband and father, but one of the most loyal citizens I ever knew. I know of no sinner that bedims his moral, social or religious standing. He certainly was one man that tried to keep the golden rule; to do unto all men as he would have them do unto him. This noble characteristic of his life endeared him to all that knew him, and he should stand as a guide-post to all others to the celestial city.

When about 36 years of age, he professed a hope in Christ, and joined the M. E. Church at Pleasant Valley, in Walton county, Georgia, maintaining his Christian integrity till the day of his death. As proof of his fidelity and relation with the Christ whom he served, I carefully interrogated him a few days before his death. I said to him: "Brother, are you prepared to die?" He said: "I am." Said I: "Do you know that you are?" Sharply looking me in the face, he said: "I do know that I am." "Glory to God," said I, "it is enough."

A few days before his death, I said to him: "Brother, when you get up to Heaven tell our dear departed ones that I am coming, too." With a look of firmness he said: "I will tell them." Thank God for the bright testimony he left behind, and by and by, I shall go up to greet him in his happy home.

Good-bye dear brother, we'll meet again,  
Though thy voice on earth is still,  
And there's a vacant place in the home;  
That no other one can fill.

When Heaven's gate opens to thee,  
Sweet and gentle voices will say come,

And Angels, too, in glad acclaim will say,  
"We rejoice to welcome you home."  
Earth has lost one gladness to me;  
Heaven seems more real and bright  
Since the spirit of my dear brother  
Took its tranquil Heavenward flight:  
Though his voice is still in death,  
His memory never shall fade,  
And sweet thoughts ever linger,  
Until in my grave I am laid."

By his brother,  
S. T. CAUDILL,  
Indian Fields, Ky.

**FURS! FURS! FURS!!!**  
Will pay you the Highest Cash Prices for your Furs.  
J. W. HISEL  
Bridge Junk Shop,  
No. 23 North Maple St.  
East Tennessee Phone 215, Home Phone 596. 11-18-40

## COMPREHENSIVE GAME LAW

Will Be Introduced in Lower House, Providing For The Prevention of the Extirpation of Fish and Game.

Louisville, Ky., Jan. 8.—A comprehensive game law designed to prevent the extermination of game and food fish from Kentucky waters will be introduced in the lower House of the Legislature next week, the measure having been drawn as the result of a concerted movement of Louisville fish merchants led by James Sowders, who conducts a fish market in Jefferson near First street.

The principal clause of the proposed law governs the size of the mesh in seines used by fishermen who supply the local markets. At present, according to a statement made by Mr. Sowders, the average size of the mesh in seines in common use hereabouts is one-fourth of an inch. Such seines, Mr. Sowders said, strip the streams of game fish to an extent that makes the extinction of both game and food fishes from local waters within the next few years virtually a certainty.

"These small fish, caught in nets of the type now used, are either thrown away or destroyed, or else are sold in the market at about a fifth of the price charged for fish of an ordinary size," said Mr. Sowders Saturday. "In either case they are a total loss. Fishermen frequently offer us lots comprising hundreds of pounds of these small fish, the majority of which are no larger than the ones used by the United States Fisheries to stock streams."

**Seines Must Be Modified**  
"The bill which I favor," continued Mr. Sowders, "prohibits the use of any seine with a mesh less than two inches in diameter. Hard seines to be used to catch minnows and bait as distinguished from food and game fish, of course, are excepted from the scope of the law."

Under the terms of the proposed law it will be a misdemeanor, punishable by a fine of not more than \$50, for a person to have in his possession a seine with a mesh under two inches in diameter or to have in his possession or to offer for sale fish under a certain length, the size of the fish catch varying as the species is rare or plentiful. The act makes it obligatory upon the fishermen to return to the waters alive fish of less than the following lengths: Salmon, twelve inches; catfish, eleven inches; white bass, ten inches; buffalo, thirteen inches. The taking of black bass by seine is prohibited altogether. The act is modeled upon the ones already in effect in Illinois and Indiana. Inasmuch as Kentucky riparian and criminal statutes are enforceable to the low water mark on the Ohio, Indiana and Illinois shores of the Ohio river the law if passed would work a sweeping change in fishing conditions in that stream.

## CENTRAL BAPTIST CHURCH.

George W. Shepherd, pastor. Services at Court House, Sunday school 9:30 a. m. Preaching at 11 a. m. and 7:00 p. m. Prayer meeting Wednesday at 7:30 p. m. SATS 10-11

## FOLEY'S HONEY AND TAR COMPOUND "CURES IN EVERY CASE"

Mr. Jas. McCaffery, Mgr. of the Schlitz Hotel, Omaha, Neb., recommends Foley's Honey and Tar Compound, because it cures in every case. "I have used it myself and I have recommended it to many others who have since told me of its great curative power in diseases of the throat and lungs." Foley's Honey and Tar Compound is a reliable family medicine. Give it to your children, and take it yourself when you feel a cold coming on. It checks and cures coughs, colds and croup and prevents bronchitis and pneumonia. No false substitutes. For Sale by All Druggists.

SUBSCRIBE FOR THE NEWS

## PEOPLE'S FORUM

### THE RURAL TEACHER

Having been engaged for the past eight years in instructing for citizenship in the rural school, I have decided to jot down a few of my observations, and some of the teacher's pleasures and anticipations.

Few teachers, when they begin their work, have any idea of the nature and disposition of children. Think of the young teacher entering the average country school usually in a strange neighborhood. She is greeted by a score of young hopefuls who are all anxious to know something of the new teacher. Every pupil is wondering if she will be as good to them as the teacher was last year. She hears whispers from every side: "She looks a little like Miss Kate. Gee, I don't want her to get mad at me; I bet she gets Billy Smith 'fore three days." In the midst of this confusion, we will take a look at the house and grounds from the outside. One shutter off another hanging by one hinge, half the brick off the flue, a bad rent in the roof and four panes of glass broken, weeds so high and thick that should the children try to play, there would be danger of tangling their feet and getting a tumble they would never forget.

Finally 8:30 o'clock is announced, the house called to order, and the trustee (if he is there) called upon for a talk and if he can prevail upon gives the pupils a few words of advice, and promises the teacher the house shall be repaired. It usually says, "I did not want the place but they elected me, and I am going to do my duty,"—but what is his idea of duty? Next school the house is in the same condition only worse. He then gives the former trustee a round-up and takes his seat well satisfied with his good home thrusts.

Now let's take an inventory of the apparatus with which the teacher must work. A map of the United States so badly dilapidated that it is difficult to make out a single name about forty square feet of the wall painted black about twenty years ago for a blackboard and so far from the floor the children must tip-toe to reach it; an old stove; a broom with a broken handle; a leaky water bucket, and a hole in the dipper. Yet she is expected to teach a good school.

I am proud to say, though, that this condition is rapidly improving. New houses with all outbuildings are being built and equipped and the yards fenced. One hundred and twenty days with, oh! any where from three to forty noisy, mischievous school children sounds tough does it not? Well it is, if that is all you can see. But there is more to it. We must know something of children. We must ascertain just what interests each child. There is a general class with many exceptions. We will take this class first. Just as a flower buds, blooms and is finally developed into a something that is beautiful to behold, a child's mind develops into a something that we can behold, hear and feel. There is invariably a class that is very slow at the beginning. Sometime this is no fault of the teacher. On the whole, however, I am inclined to believe that the teacher has failed to find the bent of the childish mind. One teacher, observing a very absorbing love of horses in one of her pupils, directed his mind along that line and he became one of the greatest horse trainers and financiers in the whole country.

One likes the farm, another the store and sometimes a pupil has the ambition to become a teacher. Find what interests a child and use this for a beginning gradually adding grammar and arithmetic. How often have I watched certain pupils and wondered what kind of citizens they would make. We never know but what unawares we are training a "great man." Little did Lincoln's teachers realize that some day this awkward, bashful boy would be President of the United States. But it is not necessary to go back to

Lincoln. Near Freeman's Bridge, in Anderson county, Kentucky, was born the Hon. Champ Clark. Little did his teachers think that today he would be the Speaker of the House of Representatives.

Oh, well, there are several Lord Mayor's days in the life of the teacher. One is the second Saturday in October, the first pay day, you know. And sometimes I am sorry to say the last day of school is the pleasantest of all. In no vocation of life are more strenuous exertions required than in the rural school room. How the bloom begins to fade from the cheek of the many beautiful girls that begin life in the country school room. How quickly the fun loving boy develops the sedate movements of the man. And yet when the greatest effort is required, the greatest good can be accomplished. Do we, as teachers, realize the responsibility that rests upon us? Do we live in such a manner that there would be no remorse of conscience should one of our pupils follow directly in our steps. How readily and naturally the child adopts the manners of the teacher. There is no doubt in the mind of a child that the highest type of integrity, honesty and wisdom is to be found in his teacher. Most teachers are thoroughly equipped in books, but as a whole are not deficient in other things. After a talk by the teacher on manners, the good effects will be noted in a very short time and in many instances they last through life. Ideas of right and wrong, respect for other people's views and the duties of friendship are easily taught in the same manner. Then fellow-teacher, let's watch our manners and guard our words for fear a word escapes our pupils. Before we can be an up-to-date teacher, we must have at least three characteristics, the forbearance of woman, the firmness of man and the manners of perfect ladies and gentlemen.

TO MICHAEL C. C. PERRY.

## NO INDIGESTION OR SICK UPSET STOMACH

Diapiesin Stops Fermentation And Ends Worst Case of Dyspepsia in Five Minutes

Why not get some now—this moment, and forever rid yourself of stomach trouble and indigestion? A listless stomach gets the blues and rumbles. Give it a good eat, then take Pape's Diapiesin to start the digestive juices working. There will be no dyspepsia or belching of gas or eruptions of undigested food; no feeling like a lump of lead in the stomach or heartburn, sick headache and dizziness, and your food will not ferment and poison your breath with nauseous odors.

Pape's Diapiesin costs only 50 cents for a large case at any drug store here, and will relieve the most obstinate case of indigestion and upset stomach in five minutes.

There is nothing else better to take from stomach and cleanse the stomach and intestines, and, besides, one single dose will digest and prepare for assimilation into the blood all your food the same as a sound, healthy stomach would do it.

When Diapiesin works, your stomach rests—gets itself in order, cleans up—and then you feel like eating when you come to the table, and what you eat will do you good.

Absolute relief from all stomach misery is waiting for you as soon as you decide to take a little Diapiesin. Tell your druggist that you want Pape's Diapiesin, because you want to become thoroughly cured this time.

Remember, if your stomach fails out of order and uncomfortable now, you can surely get relief in five minutes.

SEE  
you can get your photo taken at Eap's Studio this week at greatly reduced prices. 1-2-124

Get tickets for Lindsey's lecture from canvassers or at Strode's Drug Store. Prices 50 cents for general admission; 35 cents for students, and 25 cents for children, if tickets are bought in advance. 1-12-24

## FINAL Clearance Sale!

Silk Waists in all colors in messaline, chiffon and taffeta. Value up to \$7.50

\$2.98

Long Flannel Kimonas. Values \$2.00 98c

Silk hose in black. Values 50c 19c

Heatherbloom Petticoats in black. Values \$2.00 98c

Shirt Waists in all linen. Values \$1.50 49c

Long Black Coats in all lined 54 inches long. Value \$25.00

\$10.00

**WINCHESTER CLOAK & SUIT CO. Inc.**

A. M. DOMB, Manager.

Elks Building \* Both Phones 364.  
61 Main Street \* WINCHESTER, KY.





# WINCHESTER OPERA HOUSE

## ONE NIGHT ONLY

### WEDNESDAY, JANUARY 17th.

Montgomery E. Brewster presents beautiful **IRENE DANIEL** in the most talked of story ever staged,

# "THE COMMON LAW"

Tells a thrilling story of a woman's struggle against a common law marriage. A play every woman and girl should see. It's about the things that thrill you every day.

PRICES— \$1.50, \$1.00, 75c, 50.

GALLERY 25c.

## CONSTITUTION OF KENTUCKY

Mrs. R. H. Cotterill Prepares Able Article, Which is Read Before Members of M. C. Club

At a recent meeting of the M. C. Club, Mrs. R. H. Cotterill read the following able paper on the "Constitution of Kentucky," which caused a great deal of favorable comment. The paper is full of valuable information, gotten up concisely, and should be carefully read, by every Kentuckian.

**The Constitution of Kentucky**  
Kentucky has had four constitutions, and to know our present constitution we must know something of the preceding ones, as the present constitution is based upon them, or we might say is the outgrowth of them.

All the state constitutions resemble that of the United States, and each state constitution resembles that of the other states. The difference in the constitutions of the states is a result of geographical and economical conditions. To understand the constitution of any state, it is necessary to know its history.

Kentucky in early times was considered as a part of Virginia and was under the control of that province. This control consisted mainly in claiming the country west of the Alleghenies and the making of land grants for that territory without giving aid to the settlers, and for many years the settlers were not represented in the Virginia House of Burgesses. On one occasion when Clark asked Gov. Patrick Henry, of Virginia, for gunpowder for defense of the stations in Kentucky, the Governor could only lend the gunpowder as Kentucky had not been recognized by any formal legislative act; but he finally obtained the powder from the legislature and the next legislature divided the county of Fincastle and called one part the county of Kentucky which embraced the present state limits.

The reasons for the neglect of Kentucky by Virginia can be found in the struggle for independence and other domestic troubles which kept the Virginia legislature busy. Then, also, it took many weeks to receive news from the stations in Kentucky. It was not until 1777 that the county of Kentucky was first represented in the Virginia legislature.

Two years later the county of Kentucky was divided into three counties—Jefferson, Fayette and Lincoln. But even then the most the Virginia legislature did for Kentucky was to make land grants and grants for settlements.

It was not until 1784 that Kentucky thought of being separate from

Virginia, and then the people of Kentucky sent their first petition for separation to the Virginia legislature. But on account of Indian troubles the petition was refused. Delay after delay occurred and it was not until 1786 that the Virginia Assembly passed the act in favor of the proposed separation. But even then the final separation was postponed on one pretext and another. Virginia claimed she wished to hold Kentucky until the latter was admitted into the Union. It was not until 1790 that the entire separation took place.

In 1791, Congress passed the act to admit Kentucky as a state—the act to take effect the next year. Several conventions had been held hitherto to frame a constitution, but on account of the trouble over the separation from Virginia nothing was done.

In December, 1791, the people of Kentucky elected their delegates, who met in Danville, April 9, 1792, and adopted the first constitution of Kentucky. This constitution was based on the Federal constitution and also that of Virginia. It provided that all laws then in force in the state of Virginia, not inconsistent with the Constitution, should be in force here until altered or repealed by the legislature. As the Virginia law was the same as that of England, this brought to Kentucky the Common Law of England and the acts of Parliament to the fourth year of the reign of James I. This Constitution of 1792 differed from that of the parent state in so far as representation was concerned. In Virginia the basis of representation was by counties, but in Kentucky numbers was established as the basis.

The executive, the Senate, and the judiciary were not under the direct control of the people. The Governor and Senators were chosen by electors, who were elected by the people every four years. The Judges were appointed by the executive. The Supreme Court had original and final jurisdiction in all land cases—a provision which later made much trouble. The constitution provided no means for education, or the establishment of banks, for corporations, etc. In these respects it was defective. In fact the first constitution was simply a compromise between two opposing factions and was the work of George Nichols.

It was not but a few years until the people became discontented with this constitution and were clamoring for a new one. When they came to vote for a new constitutional convention, five of the twenty-one counties failed to report, and these delinquent counties defeated the requisite constitutional majority. Soon after, the matter was taken up in the House; but was defeated in the Senate.

Then seven years after the first—

second constitutional convention met in July of 1799 and drew up the second constitution of the Commonwealth of Kentucky. This document was the work of John C. Breckinridge. This second constitution provided for a change in that the Senate instead of being elected by a college of electors was distributed among a certain number of senatorial districts not less than twenty-four, and one-fourth of this body was to be removed each year. The Governor instead of being elected by the electoral college, was to be elected by the direct votes of the people. Also there was a change in the veto power. But there was still no provision made for education. This negligence is perhaps the chief cause why Kentucky has been so far behind in education. This constitution went into effect in 1800 and is therefore called the constitution of 1800.

This constitution was not satisfactory because it gave the legislative power to raise money on the credit of the state. The appointment of the judiciary by the Governor became unpopular, and because of the numerous offices which were filled by the Governor.

So in January, 1849, the Legislature passed an act to call a convention to change the constitution. This convention met in Frankfort in October, 1849. Changes were made in the former constitution. In fact it was not a new constitution, so much as the remedying of the defects of the constitution of 1800. A clause was inserted providing for a fund for the common schools. This constitution went into effect in 1850. One of its defects was the prohibition of legislative aid to internal improvements. Personal, civil and political rights were declared, and secured by a bill of rights and by guarded limitations upon power.

The present constitution was made in 1890 and went into effect the next year. Important changes were made in the three departments of state—the executive, legislative and judicial.

Under the first head a provision was made whereby no executive officer can hold the same office for two consecutive terms.

Under the legislative—special legislation was abolished and necessary provisions were made in regard to corporations.

Under the judiciary—the superior court and all statutory courts were abolished. The number of judges of the Appellate Court was increased.

Rhetoricians have said that the preamble of the Federal constitution is perfect; but does it not seem strange that no mention of God is made, after such a long, hard struggle as the early colonists made? Instead of "We, the people of the United States, in order to form a more perfect union," etc., we have, "We, the people of the Commonwealth of Kentucky, grateful to Almighty God, for the civil, political and religious liberties we enjoy and

invoking the continuance of these blessings do ordain and establish this constitution."

Under the first division of the present constitution is the Bill of Rights, taken from the constitution of 1850. The next division is the departments of government. Under the judiciary are two divisions important to us. One—the division on suffrage, which says who may vote. This in time may be changed, we hope, to include women; at any rate, on educational matters. The other division—Mode of Revision which provides means for changing the constitution whenever the people outgrow it—showing that at all times the people of Kentucky are a progressive people.

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Several loads were moved in this way, until finally the police, declare, the woman dropped of exhaustion.

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